

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JIMMY QUINTIN GREEN,

Petitioner,

v.

CAROL HOLINKA,

Respondent.

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ORDER

09-cv-307-slc

Petitioner Jimmy Green has responded to this court's May 19, 2009 order giving him until June 8, 2009, in which to submit either the \$5 filing fee or a copy of his six-month trust fund account statement. In his response, petitioner says that he has been transferred from the Federal Correctional Institution in Oxford, Wisconsin to the Federal Medical Center in Rochester, Minnesota and has not had sufficient time to respond to the May 19 order. I will construe petitioner's response as a motion for extension of time to submit the necessary filing fee or trust fund account statement and grant his request. Petitioner's deadline will be extended to June 29, 2009.

In concluding his current motion, petitioner asks the court to appoint a lawyer to assist him in this case. Petitioner's request for appointment of counsel will be stayed pending a decision whether an order should issue directing respondent to show cause why the petition for a writ of habeas corpus should not be granted.

ORDER

IT IS ORDERED that petitioner's motion for extension of time, dkt. #4, is GRANTED. Petitioner may have until June 29, 2009, in which to submit either the \$5 filing fee or a copy of his six-month trust fund account statement. If, by June 29, 2009, petitioner does not pay the \$5 filing fee or submit the required trust fund account statement, the clerk of court is directed to close this case for petitioner's failure to prosecute.

Entered this 11<sup>th</sup> day of June, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge